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Between *John Dutton Colt Esq;* Son and Heir of *George Colt* and *Mr. Thomas Colt*, younger Brother of the said *George*, and *Henry Hall Esq;* who pretends himself a Trustee for the said *Thomas Colt*.

James Scudamore Esq; being indebted to *George Colt* in 5000 l. which was secured by a Judgement, and being also seised of the Reversion of the fifth part of divers Mannors and Lands in the County of *York* and *Northampton*, (which the Lady *Gargrave* held for her life) he in the year 1655 by the direction of *George Colt*, and in satisfaction and discharge of the greatest part of the aforesaid Debt, Conveyes his said 5th. part of the said Mannors and Lands to Mr. *Thornicraft* and Mr. *Cartwright* and their Heirs, in trust for *George Colt* and his Heirs.

Afterwards Mr. *Thornicraft* and Mr. *Cartwright* by the direction of *George Colt* (and without any consideration) convey the same 5th. part to *Henry Hall Esq;* and his Heirs, in trust for *George Colt*, and *George Colt* makes no further Declaration of any trust concerning the said Estate.

George Colt in the year 1658. was drowned in *Holland*, and about two years after, (the Lady *Gargrave* being dead and the said *John Dutton Colt* being an infant, and *Thomas Colt* having gotten the conveyances into his hands) *Thomas Colt* got into the possession of the Estate, at first pretending he did it for the good of his brothers children. But when he was settled in the possession, he then sets up a title to himself, and gives out, that *Henry Hall* was a Trustee for him and not for his Brother *George*, and to set a colour upon it, *Thomas Colt* and *Henry Hall* combining together, *Henry Hall* declares by a Deed under his hand and Seal, that the said 5th. part was conveyed to him as to a 4th. part thereof in Trust for one *Walter Harvy*, and as to the other three parts thereof, in trust for the said *Thomas Colt* and his Heirs; but *George Colt* was never a party to this or any other Declaration to any such purpose.

Afterwards in the year 1663. *John Dutton Colt* commenceth a suite in Chancery against *Thomas Colt* and *Henry Hall* to have the Deeds from *Tho. Colt*, and to have *Thomas Colt* and *Henry Hall* convey the said Estate to him according to the trust, And upon the hearing of the cause before the Master of the Rolls in Trinity Term 1665. it appearing that *Henry Hall* was a Trustee for *George Colt* and his Heirs; it was decreed that the Deeds should be delivered and the Estate conveyed to *John Dutton Colt* and his heirs or whom he should appoint by *Henry Hall* and *Thomas Colt*.

Thomas Colt not being satisfied with this Decree, Petitions the then Lord Chancellor, that the cause might be reheard before his Lordship which was granted to him, and upon the rehearing of the said Cause, viz. 12. Oct. 1665. the decree made by the Master of the Rolls was confirmed by the Lord Chancellor, and *Thomas Colt* and *Henry Hall* were again Decreed to convey the Estate to *John Dutton Colt* and his Heirs.

Afterwards in the year, 1666. *Tho. Colt* and *Henry Hall* Exhibited their Bill of Review, to have the said Decree reversed and alledged therein, that they had discovered new matter, viz. other Conveyances to make out their Title dated the 13th. and 14th. of March 1656. (which were not discovered before the former hearings) and thereupon several other witnesses were examined, that were not used in the former cause: Upon the reading of which new proofs at the hearing of the said Cause upon the Bill of review before the Lord Keeper (assisted by two Judges) it was Ordered that a Tryal at Law should be had at the Kings Bench Barr, in which Tryal the issue was directed to be, whether *Thomas Colt* had acknowledged or declared that what he did to preserve the said Estate, was for the good of his Brother *George Colts* Children, upon the Tryal of which said Cause, it appeared most clearly to the satisfaction of all the Judges and of the Jurors that the said *Thomas Colt* had made such acknowledgement and Declaration after the death of his Brother *George Colt* whereupon the Jury gave their Verdict for the said *John Dutton Colt*: And thereupon the Cause being again set down to be heard in the Chancery, the said former Decree as to three parts in four of the said 5th. part of the said Estate was confirmed, but as to the 4th. part of the said 5th. part the said former Decree was reversed, in regard that it appeared by the proofs taken in the cause upon the Bill of review, that one *Walter Harvy* (who was no party to the first suite) had some pretence of an equitable title to the 4th. part of the said 5th. part.

To which last Decree (or any of the former) the said *Thomas Colt* and *Henry Hall* have as yet yielded no obedience but do now go about to give the said *John Dutton Colt* new trouble concerning the said Estate, in Parliament, notwithstanding the said *John Dutton Colts* title to the estate in question hath been affirmed, as is aforesaid by three decrees in Chancery, and by a Verdict at the Common Law in a Tryall at the Kings Bench Barr, upon a full Evidence.